

Fiscal Note

State of Alaska
2021 Legislative Session

Bill Version:	SCS CSHB 105(JUD)
Fiscal Note Number:	5
(S) Publish Date:	5/18/2021

Identifier: HB105-DHSS-PS-5-17-2021
Title: DETENTION OF MINORS
Sponsor: RLS BY REQUEST OF THE GOVERNOR
Requester: (S) JUD

Department: Department of Health and Social Services
Appropriation: Juvenile Justice
Allocation: Probation Services
OMB Component Number: 2134

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below.

(Thousands of Dollars)

	FY2022 Appropriation Requested	Included in Governor's FY2022 Request	Out-Year Cost Estimates				
OPERATING EXPENDITURES	FY 2022	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Fund Source (Operating Only)

None							
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Positions

Full-time							
Part-time							
Temporary							

Change in Revenues

None							
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimated SUPPLEMENTAL (FY2021) cost: 0.0 (separate supplemental appropriation required)

Estimated CAPITAL (FY2022) cost: 0.0 (separate capital appropriation required)

Does the bill create or modify a new fund or account? No
(Supplemental/Capital/New Fund - discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? Yes
If yes, by what date are the regulations to be adopted, amended or repealed? 01/01/22

Why this fiscal note differs from previous version/comments:

HHSS CS combines HB105 and HB116.

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Date: 05/05/2021 08:10 AM
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FISCAL NOTE ANALYSIS

STATE OF ALASKA
2021 LEGISLATIVE SESSION**Analysis**

This version of the bill brings Alaska into compliance with the federal Juvenile Justice Reform Act and makes necessary updates to the terms used to describe the Division of Juvenile Justice (DJJ) facilities and staff.

The bill will result in minors in Department of Corrections' custody to be held in Division of Juvenile Justice facilities until age 18. The number of additional residents is expected to be low. The Department of Corrections and Department of Health and Social Services will develop an agreement to address interagency costs. No additional resources will be requested by either agency.

The bill clarifies that DJJ facility staff and probation officers can hold positions of authority and serve as legal guardians of minors for the purposes of addressing crimes of sexual assault and sexual abuse of a minor. This clarification is necessary due to a court decision that found that DJJ facility staff are not currently included in the position of authority definition found in AS 11.41.470(5).

The bill adds DJJ staff to the persons who are required to report child abuse and neglect. Current mandatory reporters include practitioners of the healing arts, school teachers, officers of the Department of Corrections, and others. DJJ staff are not included in this list even though youth frequently disclose abuse to these staff and staff, in turn, make reports to the Office of Children's Services.

The department will update the regulations addressing the management of juvenile facilities found at 7 AAC 52. The department expects to implement the regulation changes 180 days following the effective date.

The bill is not expected to have a major programmatic or fiscal impact on the department.